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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/503,602	02/11/2000	Shawn D. Loveland	202414	6901

7590

07/08/2002

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EXAMINER

MUHEBBULLAH, SAJEDA

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 07/08/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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6259445  $\phi$   
8889516  
5873108  $\phi$

## Office Action Summary

Application No.

09/503,602

Applicant(s)

LOVELAND, SHAWN D.

Examiner

Sajeda Muhebbullah

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Objections***

2. Claim 1 is objected to because of the following informalities:

a) line 14: the phrase "the graphical user" should be changed to --the voice user--

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 14-15, 18, and 22-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 14-15 recite the limitation "external input interface" in line 8 and line 9 respectively. Claim 18 recites the limitation "the caller" in line 2. There is insufficient antecedent basis for these limitations in the claims.

Appropriate corrections are required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-19 and 21-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Saxena et al. ("Saxena", US 6,259,449).

As per claim 1, Saxena teaches a terminal abstraction, interposed between functional resources of an application and end-devices, to provide the functional resources in a manner tailored to individual ones of a variety of user interfaces (col.2, lines 52-54), including graphical and voice user interfaces, the terminal abstraction comprising:

a graphical user interface terminal abstraction component interposed between the functional resources and a first end-device supporting a graphical user interface, the graphical user interface terminal abstraction component transforming messages from the first end-device to a generic format expected by the functional resources, the graphical user interface terminal abstraction component further transforming messages from the

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functional resources to a first end-device format expected by the first end-device (col.4, lines 17-19 and lines 26-29); and

a voice user interface terminal abstraction component interposed between the functional resources and a second end-device supporting a voice user interface, the voice user interface terminal abstraction component transforming messages from the second end-device to a generic format expected by the functional resources, the voice user interface terminal abstraction component further transforming messages from the functional resources to a second end-device format expected by the second end-device (col.3, lines 45-46; col.4, lines 26-29; col.8, line 5).

As per claim 2-3, Saxena teaches the terminal abstraction wherein the application is a personal interactive response system wherein the personal interactive response system is a multimedia response system (col.6, lines 47-58).

As per claim 4, Saxena teaches the terminal abstraction wherein the graphical user interface component supports remote computer terminal sessions with the multimedia response system (col.3, lines 37-41).

As per claim 5, Saxena teaches the terminal abstraction wherein the remote terminal sessions correspond to receiving instant messages from a remote terminal (col.3, line 34).

As per claim 6, Saxena teaches the terminal abstraction wherein the voice user interface component supports remote telephone sessions with the multimedia response system (col.3, lines 37-46).

As per claim 7, Saxena teaches the terminal abstraction wherein the application is a distributed conference bridge application (col.5, line 7).

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As per claim 8, Saxena teaches the terminal abstraction wherein the application is an instant messaging application (col.7, line 53).

As per claim 9, Saxena teaches the terminal abstraction wherein the application is a call announcement application (col.7, line 64).

As per claim 10, Saxena teaches the terminal abstraction wherein a supported end-device is a public-switched telephone network phone (col.1, line 63).

As per claim 11, Saxena teaches the terminal abstraction wherein a supported end-device is an Internet protocol telephone (col.5, line 29).

As per claim 12, Saxena teaches the terminal abstraction wherein a supported end-device is a computer terminal (col.1, line 59).

As per claim 13, Saxena teaches the terminal abstraction wherein a supported end-device is a video phone (col.5, line 34).

Claims 14-15 are individually similar in scope to claims 7-9, and are therefore rejected under similar rationale.

As per claim 16, Saxena teaches a personal interactive multimedia response system including:

an end-terminal-to-application interface providing access to functional components of an interactive multimedia response application by end-devices having user interfaces of multiple types, including graphical and voice user interfaces (col.4, lines 33-37);

a set of individually configurable rules defining actions of the personal interactive multimedia response system for responding to calls to a specified recipient (col.4, lines 65-67); and

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a rules engine having access to the set of individually configurable rules and formulating a response to a call according to the set of individually configurable rules and present values for a set of status variables, including at least one status variable corresponding to the mode of access used by the end-device (col.5, lines 1-10).

Claim 17 is similar in scope to claim 1, and is therefore rejected under similar rationale.

As per claim 18, Saxena teaches the system further comprising a registration component enabling designating a manner of interaction between the caller and the personal IMR system (col.5, lines1-10).

As per claim 19, Saxena teaches the system wherein the set of status variables comprises the state of the user's terminal (col.5, line 7).

Claims 21 and 26 are similar in scope to claim 16, and are therefore rejected under similar rationale.

Claim 22 is similar in scope to claim 18, and is therefore rejected under similar rationale.

Claim 24 is similar in scope to claim 12, and is therefore rejected under similar rationale.

Claim 25 is similar in scope to claim 10, and is therefore rejected under similar rationale.

Claims 27-37 are similar in scope to claims 1-4, 6-11, and 13 respectively, and are therefore rejected under similar rationale.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saxena et al. ("Saxena", US 6,259,449) in view of Goyal et al. ("Goyal", US 5,873,108).

As per claim 20, Saxena teaches a set of status variables. However, Saxena fails to teach the set of status variables to comprise appointment calendar entries. Goyal teaches a personal information manager system wherein a set of status variables comprises appointment calendar entries (col.11, lines 21-38). It would have been obvious to an artisan at the time of the invention to include Goyal's teaching with Saxena's system in order for the system to be aware of the user's schedule and formulate responses accordingly.

#### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
- Hickey et al. (US 5,889,516) teaches a method of converting messages to a form appropriate for use on the recipient computer.
  - Mendhekar et al. (US 6,108,696) teaches a transducer for tailoring the output from a computer to an end-device.



***Inquiries***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is (703) 305-3989. The examiner can normally be reached on Monday - Friday from 7:00 am to 4:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Sajeda Muhebbullah  
Patent Examiner  
June 26, 2002

*Kristine Kincaid*  
**KRISTINE KINCAID**  
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